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EXAMINER

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2153

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 16

Application Number: 09/518,349
Filing Date: March 03, 2000
Appellant(s): ROHWER, CARY LANE

Timothy P. Cremen
Registration Number 50,855
For Appellant

EXAMINER'S ANSWER

1. This is in response to the appeal brief (paper number 15) filed December 11, 2003.

Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

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Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

The statement of the status of the claims contained in the brief is correct.

Status of Claims

The statement of the status of the claims contained in the brief is correct.

Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

Summary of Invention

The summary of invention contained in the brief is correct.

Issues

The appellant's statement of the issues in the brief is correct.

Grouping of Claims

Appellant's brief includes a statement that claims 1-53 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

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Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

Prior Art of Record

Sequeira, US Patent Number 6,222,530, issued on April 24, 2001, but filed on August 21, 1998 (hereinafter Sequeira).

Bowman-Amuah, US Patent Number 6,332,163, issued December 18, 2001, but filed September 1, 1999 (hereinafter Bowman)

Fu et al., US Patent Number 5,845,257, issued December 1, 1998, but filed February 29, 1996 (hereinafter Fu).

Monteiro et al., US Patent Number 5,778,187, issued July 7, 1998, but filed May 9, 1996 (hereinafter Monteiro).

Lindblad et al., US Patent Number 6,225,993, issued May 1, 2001, but filed April 22, 1996 (hereinafter Lindblad).

Morris, US Patent Number 6,353,848, issued March 5, 2002, but filed July 31, 1998 (hereinafter Morris).

Moskowitz et al., US Patent Number 5,629,732, issued May 13, 1999, but filed March 29, 1994 (hereinafter Moskowitz).

Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-4, 19- 22 and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sequeira in view of Bowman, in further view of Fu.

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Sequeira shows a system and method for a master scheduler for assisting client in viewing stored media at scheduled times. In referring to claim 1:

- Master Scheduler node (fig. 1, 120) receives information input by user specifying a selected one of the media servers for scheduling operations to be performed (col. 3 line 60 –col. 4 line col. 5 line 5).
- Displaying graphical information indicative of times at selected media server (fig. 6 col. 14 lines 4-27).

Although Sequeira shows substantial features of the claimed invention, Sequeira does not particularly point out the node and server being in different time zones. Nonetheless this feature is well known in the art, and would have been an obvious modification to the system disclosed by Sequeira, as evidenced by Bowman.

In an analogous art, Bowman discloses a communications service for providing information over a computer network to clients. Part of Bowman's disclosure shows communications between a node and a server residing on different time zones from one another (col. 104 lines 55- col. 105 line 9).

Given this feature, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system disclosed by Sequeira by employing the feature shown by Bowman in order for clients to interact with servers distributed in various regions through out the world.

Although Sequeira in view of Bowman shows substantial features of the claimed invention, neither explicitly shows the displaying of current local time of the server in the different time zone. Nonetheless showing current local time of a remote location is well known

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in the art, and would have been an obvious modification to the system disclosed by Sequeira in view of Bowman, as evidenced by Fu.

In an analogous art, Fu shows a system for displaying scheduling and tracking events across multiple time zones. Fu discloses displaying current local time of a remote location in a different time zone (col. 4 line 54- col. 5 line 10).

Given this feature, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system disclosed by Sequeira in view of Bowman, by employing the system shown by Fu, in order to better schedule events in different time zones.

In referring to claims 2, 20 and 38, Sequeira shows:

- The displaying of GUI at node including a plurality of interface components enabling a user to specify and schedule operations to be performed by selected ones of the media servers (col. 5 lines 38- col. 7 lines 15).
- The receiving of information input by the user specifying an operation to be performed by the selected media server, and a schedule for performing the operations (col. 14 lines 4-49).

In referring to claim 3, 21, and 39, Sequeira shows a media storage device attached to media server for storing media data. User is enabled to select preferred media from said attached media storage device corresponding to selected media server (fig. 1 item 160, col. 4 lines 7-13, col. 8 line 57- col. 8 line 5).

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In referring to claim 4, 22, and 40, Sequeira shows the network being IP network (col. 4 lines 39-47, col. 10 lines 14-18).

Claims 5, 6, 23, 24, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sequeira in view Bowman in further view of Fu, in relation to claims 1-4, 19- 22 and 37-40; and in further view of Lindblad.

In referring to claim 5 and 23, although Sequeira in view of Bowman in further view of Fu, shows substantial features of the claimed invention, they do not explicitly show an applet being sent to terminal. Nonetheless an applet being sent to terminal via network is well known and would have been an obvious modification to the system disclosed by Sequeira in view of Bowman and in further view of Fu, as evidenced by Lindblad.

Lindblad teaches as video on demand applet method for access to multimedia documents. Lindblad shows applet transmitted to terminal via network for display in at terminal window (col. 3 lines 25-48, col. 5 lines 5-26).

Given the teachings of Lindblad, a person of ordinary skill in the art would have readily recognized the desirability and the advantages of modifying Sequeira in view of Bowman and in further view of Fu, by using an applet in order to request and control multimedia document streams from video server.

In referring to claim 6, 24, and 41 Lindblad shows multicasting operations for streaming media to terminals, and the encoding of media data (col. 8 lines 1-9, col. 6 lines 25-29).

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Claims 7, 8, 25, 26, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sequeira in view of Bowman and in further view of Fu, in relation to claims 1-4, 19- 22, and 37-40 and in further view of Moskowitz.

In referring to claims 7, 25, and 42, Sequeira in view of Bowman and in further view of Fu, show substantial features of the claimed invention including:

- Display a source selection interface enabling user to select a source location, resulting in receiving information input by user (Sequeira, col. 6 lines 41-51, fig 3A item 310)
- Displaying an asset list and receiving input by user (Sequeira, col. 10 lines 14-40 fig. 32A 3201g).

Sequeira in view of Bowman and in further view of Fu, do not show destination selection interface of assets being portions. Nonetheless these features are well known and would have been an obvious modification to the system disclosed by Sequeira in view of Bowman and in further view of Fu, as evidenced by Moskowitz.

In an analogous art, Moskowitz teaches a viewer controllable on demand multimedia service having:

- Allowing user to arrange the delivery of media data to a destination device (col. 4 lines 10-20, 55-60).

Given the teachings of Moskowitz, a person of ordinary skill in the art would have readily recognized the desirability and advantages to modifying Sequeira in view of Bowman

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and in further view of Fu, with a destination selection component as disclosed by Moskowitz in order serve a selected media event to a virtually unlimited number of subscribers.

In regards to claim 8, 26 and 43, Sequeira shows displaying scheduled copy interface components enabling user to select a start time and date for copying, and generating a copy command associated with the start time and date of selected source (fig. 7 col. 14 lines 28-32).

Claim 9-16, 27-34, and 44-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sequeira in view of Bowman and in further view of Fu, in view of Lindblad in referring to claims 5, 6, 23, 24, and 41 and in further view of Morris (US 6,353,848).

In referring to claim 9, 27, and 44, although Sequeira, Bowman and Fu in view of Lindblad show substantial features of the claimed invention, they do not show a multimedia device operative to generate multimedia data. Nonetheless this feature is well known in the art and would have been an obvious modification to the system disclosed by Sequeira, Bowman and Fu in view of Lindblad as evidenced by Morris.

In analogous art, Morris shows method and system for allowing control of multimedia device over a network.

Morris shows a multimedia device operative to generate media data, such device linked to server (col. 15 lines 36- col. 16 line 25).

Given the teachings of Morris a person of ordinary skill in the art would have readily recognized the desirability and advantages to modifying the Sequeira and Bowman in view of

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Lindblad with a multimedia device to generate the media data in order to allow remote access and control of media devices for the purposes of imaging and surveillance applications.

In referring to claim 10, 28, and 45 Sequeira shows a display interface for enabling user to select a start time and date for encoding of operations (fig. 7 col. 14 lines 28-32). Lindblad further shows the encoding of such requested data associated with client request (col. 6 lines 18-32).

In referring to claim 11, 29, and 46, Sequeira shows a first option of selecting stop date and time, and second option including duration and start time (fig. 32A/B, col. 21 lines 15-30).

In referring to claim 12, 30, and 47, Sequeira shows the recording of media data to a memory location on a server, a display is used to register the client and camera (col. 15 lines 57-col. 16 line 26).

In referring to claim 13, 31, and 48, Sequeira shows a display for user to select playback destination and schedule (fig. 23, col. 19 lines 1-67).

In referring to claim 14, 32, and 49, Sequeira shows a play back schedule having a first and second group of components enabling user to selecting start time and date as well as options for play-back, (fig. 7 col. 14 lines 28-32, fig. 32A/B, col. 21 lines 15-30).

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In referring to claim 15, 33, and 50, Lindblad shows loop count value for repeat of streaming of sorted media (col. 8 lines 1-9).

In referring to claim 16, 34 and 51, Sequeira shows an event notification message (col. 9 lines 33-42).

Claim 17-18, 35, 36, 52 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sequeira in view of Bowman and in further view of Fu, and in further view of Monterio.

In referring to claim 17, 35, and 52, although Sequeira in view of Bowman and in further view of Fu, show substantial features of the claimed invention Sequeira in view of Bowman and in further view of Fu, do not show displaying multicasting destination interface information. Nonetheless this feature is well known and would have been an obvious modification to the system disclosed by Sequeira in view of Bowman and in further view of Fu, as evidenced by Monteiro et al.

In an analogous art, Monteiro shows multicasting of media data and display of selections for multicast broadcasts (col. 16 lines 20- col. 17 line 30).

Given the teachings of Monteiro a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying Sequeira in view of Bowman and in further view of Fu, by using a display for multicasting media data to a plurality of users at the same time in order carryout multi-party conferencing of data and images.

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In referring to claim 18, 36, and 53, Sequeira shows a first and second group of components allowing user to select start time and date for and other options for schedule duration (fig. 7 col. 14 lines 28-32, fig. 32A/B, col. 21 lines 15-30).

(11) Response to Argument

The examiner summarizes the various points raised by the appellants and addresses replies individually.

1. In regarding Claims 1, 19, and 37:

a) that one of ordinary skill in the art, at the time of the invention that is the subject of the instant Application, would not have been motivated to modify Sequeira and/or Bowman with Fu. (see Brief pages 15-18).

b) that the applied references fail to teach or suggest, a the node (or client), “receiving information input by the user specifying a selected one of the media servers for scheduling operations to be performed” and “at said node, displaying graphical information indicative of a current local time at said selected media server.” (see Brief pages 19-20).

In reply to argument (a) that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it is clear that there is a motivation to combine the teachings of Sequeira

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and/or Bowman with Fu. Fu points out the need to schedule events (e.g. Internet chat) across time zones with computers located in other parts of the world (col. 2 lines 8-29). One of ordinary skill would have recognized this scheduling modification to the scheduling system shown by Sequeira in view of Bowman. Although applicant points out that Fu does not connect to any other systems to retrieve these various times, it is not the Office's responsibility to teach how to bodily incorporate a secondary reference (Fu) into the structure of the primary reference (Sequeira in view of Bowman), but rather what the combination of references would suggest to those of ordinary skill in the art. In this case, one of ordinary skill would have recognized that a media server for scheduling operations to be performed could reside in a time zone different from the node inputting information. This concept is common when implementing scheduling between nodes around the world as shown by Fu.

In reply to argument (b), Sequeira shows that a user can have multiple GUI's for scheduling at multiple respective media servers. The user specifies or selects one of a plurality of media servers by interacting with that particular media server's GUI. In one embodiment, multiple GUI's can be consolidated into a single master GUI, wherein details for each supported service are displayed as needed in order for user to select a particular media server that provides the service. Each service can have a specifically tailored data model for adding and manipulating events (see Sequeira col. 6 lines 41- col. 7 line 27, and fig. 3a-3c).

Furthermore, Fu shows the displaying of graphical information indicative of a current time at a selected remote device (col. 5 lines 1-10). In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642

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F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

2. In regarding Claims 3, 21, and 39, Applicant argues:

That applied references fail to teach or suggest “said interface components include a source selection interface component enabling the user to select a source location by browsing a list of available locations including predetermined mapped ones of the media servers and predetermined mapped one of the memory devices.” (see Brief page 21).

In reply, Sequeira shows a GUI allowing user to select a service corresponding to a media server having memory by browsing a list (plurality of service location in a one GUI) of location mapped to media server data models (col. 7 lines 8-15).

3. In regarding Claims 5 and 23, Applicant argues:

a) that one of ordinary skill in the art would not have been motivated to modify Sequeira (with or without Bowman and Fu) with Lindblad (see Brief pages 22-23).

b) that Lindblad fails to teach or suggest that applet is capable of any additional functionality, such as supporting the display of a GUI within a browser window (see Brief pages 23).

In reply to a), In response to applicant's argument that it would not have been obvious to modify the scheduling GUI of Sequeira to use the applet of Lindblad because the GUI of Sequeira is not a multimedia document, and is not a multimedia viewing program, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into

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the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). Furthermore, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Sequeira does not only teach a scheduling system, Sequeira shows a scheduling system in order to view and supplement scheduled events with video, audio, and animation multimedia (col. 2 lines 59-65). Given this, the teaching of Lindblad shows requested video streams displayed to a user over an applet of a multimedia document viewer such as a WWW browser. This modification makes it easier for a designer of a multimedia documents such as HTML pages to incorporate motion video in to HTML (see Lindblad col. 2 lines 34-42).

In replay to b), In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., applet is capable of any additional functionality, such as supporting the display of a GUI within a browser window) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the

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claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In addition, Lindblad shows GUI is displayed within in a browser window on display unit (col. 7 lines 5-10).

4. In regarding Claims 6, 24, and 41, Applicant argues:

That the applied references fail to teach or suggest a media server performing “encoding operations for encoding media data received by selected one of the media servers.” (see Brief pages 23-24).

In reply, Lindblad shows the encoding of media data from video server 250 (col. 8 lines 1-9, col. 6 lines 25-29)

5. In regarding claims 7, 25, and 42, Applicant argues:

a) that one of ordinary skill in the art would not have been motivated to modify Sequeira, Bowman and Fu with Moskowitz (see Brief pages 24-25).

b) that Moskowitz fails to teach or suggest to claimed features because if Moskowitz were implemented in Sequeira, no further control would be added (see Brief pages 25-27).

In reply to a), that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Moskowitz shows a system analogous to Sequeira for requesting multimedia data from media

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server. Moskowitz shows the coping of data in portions to a subscriber (col. 4 lines 55-62). One of ordinary skill in the art would have realized the motivation to combine in order to allow user to choose what specific portions of multimedia data is to be viewed (see Moskowitz, col. 2 line 19-22).

In reply to b), In response to applicant's argument that if Moskowitz were implemented in Sequeira (page 26), the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

6. In regarding claims 8, 26, and 43, Applicant argues:

That applied references fail to teach or suggest "enabling the user to select a start time and start date for a scheduled copying operation." (see Brief pages 27-28).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references (Sequeira and Moskowitz). See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

7. In regarding claims 9-16, 27-34, and 44-51, Applicant argues:

That one of ordinary skill in the art would not have been motivated to modify Sequeira, (with or without Bowman, Fu, and Lindblad) in view of Morris (see Brief pages 28-29).

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In reply to applicant's argument that Morris is a multimedia on demand system that is incompatible with the scheduling system disclosed by Sequeira, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

8. In regarding claims 9, 27, and 44, Applicant argues:

The applied references fail to teach or suggest selecting any particular server (see Brief pages 29-30).

In reply, Sequeira shows that a user can have multiple GUI's for scheduling at multiple respective media servers. The user specifies or selects one of a plurality of media servers by interacting with that particular media server's GUI. In one embodiment, multiple GUI's can be consolidated into a single master GUI, wherein details for each supported service are displayed as needed in order for user to select a particular media server that provides the service. Each service can have a specifically tailored data model for adding and manipulating events (see Sequeira col. 6 lines 41- col. 7 line 27, and fig. 3a-3c).

9. In regarding claim 10, 28, and 45, Applicant argues:

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That the applied references do not teach “displaying scheduled encoding interface components enabling the user to select a start time and a start date for a scheduled encoding operations.” (see Brief pages 30-31).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In reply, Lindblad shows the encoding of media data from video server 250 (col. 8 lines 1-9, col. 6 lines 25-29).

10. In regarding claims 11, 29, and 46, Applicant argues:

That the applied references do not teach or suggest the claimed features, specifically because Sequeira does not show any ability to directly select or act on any individual server, or multimedia device connected to that server (see Brief pages 31-32).

In reply, Sequeira shows that a user can have multiple GUI's for scheduling at multiple respective media servers. The user specifies or selects one of a plurality of media servers by interacting with that particular media server's GUI. In one embodiment, multiple GUI's can be consolidated into a single master GUI, wherein details for each supported service are displayed as needed in order for user to select a particular media server that provides the service. Each service can have a specifically tailored data model for adding and manipulating events (see Sequeira col. 6 lines 41- col. 7 line 27, and fig. 3a-3c).

11. In regarding claims 12, 30 and 47 along with 13, 31, and 48, Applicant argues:

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That the applied references do not teach or suggest the claimed features, specifically because Sequeira does not shows any ability to directly select or act on any individual server, or multimedia device connected to that server and further do not show differentiating between memory devices and servers or any ability to record any data, as it is only directed to broadcasting scheduling (see Brief pages 32-33).

In reply, Sequeira shows that a user can have multiple GUI's for scheduling at multiple respective media servers. The user specifies or selects one of a plurality of media servers by interacting with that particular media server's GUI. In one embodiment, multiple GUI's can be consolidated into a single master GUI, wherein details for each supported service are displayed as needed in order for user to select a particular media server that provides the service. Each service can have a specifically tailored data model for adding and manipulating events (see Sequeira col. 6 lines 41- col. 7 line 27, and fig. 3a-3c).

12. In regarding claims 14, 32, and 49, Applicant argues,

That the referenced do not teach the claimed limitations because Sequeira fails to teach any ability to obtain and then output real time multimedia files, and Morris is directed to real time playback (see Brief pages 33-34).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ability to obtain and then output real time multimedia files) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification

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are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

13. In regarding claims 15, 33, and 50, Applicant argues:

That the referenced do not teach the claimed limitations because Lindblad fails to teach repeating stored data until scheduling removal, or of specifying an interval schedule (see Brief pages 34-35).

In reply, Lindblad shows loop count value for repeating the streamed sorted media until scheduling removal and specifying an interval schedule (col. 8 lines 1-9).

14. In regarding claims 16, 34, and 51, Applicant argues:

That the referenced do not teach the claimed limitations because Sequeira does not show any ability to send notifications to selected network addresses associated with end user terminal (see Brief pages 35-36).

In reply, Sequeira shows an event notification message “installed” or “executing” (col. 9 lines 33-42).

15. In regarding claim 17, 35, and 52, Applicant argues:

That none of the references show any ability to define multicasting destinations (see Brief pages 36-37).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on

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combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Although Sequeira in view of Bowman and in further view of Fu, show substantial features of the claimed invention Sequeira in view of Bowman and in further view of Fu, do not show displaying multicasting destination interface information. Nonetheless this feature is well known and would have been an obvious modification to the system disclosed by Sequeira in view of Bowman and in further view of Fu, as evidenced by Monteiro et al.

In an analogous art, Monteiro shows multicasting of media data and display of selections for multicast broadcasts (col. 16 lines 20- col. 17 line 30).

Given the teachings of Monteiro a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying Sequeira in view of Bowman and in further view of Fu, by using a display for multicasting media data to a plurality of users at the same time in order carryout multi-party conferencing of data and images.

16. In regarding claims 18, 36, and 53, Applicant argues:

That Sequeira fails to show and ability to define a multicast destination (see Brief page 37).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

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Monteiro shows multicasting of media data and display of selections for multicast broadcasts (col. 16 lines 20- col. 17 line 30).


For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,




Anita Choudhary
February 18, 2004

Conferee:


ZARNI MAUNG
PRIMARY EXAMINER


Dung C. Dinh
Primary Examiner


GLENON B. BURGESS
SUPERVISORY PATENT EXAMINER
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